

**Notice of Allowability**

Application No.

10/583,906

Examiner

YUN QIAN

Applicant(s)

TAKAHASHI, MASASHI

Art Unit

1793

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 7/22/2009.
2. ☒ The allowed claim(s) is/are 3, 4, 6-15, 17, 19, 21, 23-26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/YUN QIAN/  
Examiner, Art Unit 1793

## **DETAILED ACTION**

### ***Response to Arguments***

Claims 3-4, 6-15, 17, 19, 21 and 23-26 remain for examination. Claims 1, 15, 17 and 23 are amended. Claims 1-2, 5, 16, 18, 20 and 22 are cancelled.

In light of the amendment and applicant's arguments, filed on 7/23/2009, with respect to claims 3-4, 6-11, 15-17, 19, 21, and 23-26, the rejections under 35 U.S.C 103(a) as being unpatentable over Hideji et al. (JP 05-279043) in view of Bezzi et al. (US 4,202,793) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

In light of the amendment and applicant's arguments with respect to claims 12-14, the rejections under 35 U.S.C 103(a) as being unpatentable over the references as combined above, and further in view of McLean II et al. (US 5,698,173) and Larson et al (5,514,306) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

The drawings are approved.

### ***Allowable Subject Matter***

Claims 3-4, 6-15, 17, 19, 21 and 23-26 have been found to be allowable over the prior art of record and are passed to issue.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or render obvious a method and a method of preparation feedstock liquid uranyl nitrate solution, in which the total amount of

tetrahydrofurfuryl alcohol is 40-50% volume based on the entire volume of the feedstock liquid.

While the combined prior arts (Bezzi et al. and Hideji et al.) disclose a method of making uranium nitrate solution involving mixing uranyl nitrate, tetrahydrofurfuryl alcohol and polyvinyl alcohol as discussed in the previous filed office actions.

However, the prior arts fail to teach or suggest the total amount of tetrahydrofurfuryl alcohol is 40-50% volume based on the entire volume of the feedstock liquid. Such concentration range of tetrahydrofurfuryl alcohol is critical to make microspheres with fewer internal defects as stated in the DECLARATION file on December 22, 2008.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YUN QIAN whose telephone number is (571)270-5834. The examiner can normally be reached on Monday-Thursday, 10:00am -4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on 571-272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J.A. LORENZO/  
Supervisory Patent Examiner, Art Unit 1793

/YUN QIAN/  
Examiner, Art Unit 1793